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PATENT

Confirmation No.: 6668

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.:

10/644,293

Liotta, et al.

Applicant: Filed:

August 20, 2003

TC/A.AU.:

To be assigned To be assigned

Examiner:

Docket No.:

18085.105119 EMU 134 DIV4

Customer No.:

20786

Title:

Method of Resolution and Antiviral Activity of 1,3-Oxathiolane Nucleoside

Enantiomers

Commissioner for Patents

P. O. Box 1450

Alexandria, VA 22313-1450

Information Disclosure Statement

Sir:

The citation of information on the accompanying Form PTO-1449, "List of Art Cited by Applicant" is made pursuant to 37 C.F.R. §§ 1.56, 1.97, and 1.98. A copy of each of the following references is enclosed: BU, BV, BW, BX, BY, CN and CAD. Each of the remaining references was cited during prosecution of the parent application, U.S.S.N. 10/073,734, therefore as permitted under § 1.98(d) copies are not provided, however copies can be provided upon request. The citation of this information does not constitute an admission of priority or that any cited item is available as a reference, or a waiver of any right the applicant may have under applicable statutes, Rules of Practice in patent cases, or otherwise.

Applicant does not believe any fees are due because this paper is submitted before the mailing of a first Office action on the merits, as under 37 C.F.R. § 1.97(b)(3). However, the Commissioner is hereby authorized to charge any fees due or credit any overpayment, to Deposit Account No. 11-0980.

Respectfully submitted,

Sherry M. Knowles, Esq.

Reg. No. 33,052

Dated: June 24, 2004 . King & Spalding, LLP

191 Peachtree Street, N.E., Atlanta, GA 30303 Office: (404)572-4600/ Fax: 404-572-5145

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandra, VA 22313-1450, on June 24, 2004.

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet **1** of **8**

Complete if Known					
Application Number	10/644,293				
Filing Date	August 20, 2003				
First Named Inventor	Liotta, et al.				
Group Art Unit	Unassigned				
Examiner Name	Unassigned				
Attorney Docket Number	18085.105119 EMU 134 DIV4				

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U.S. PATENT DOCUMENTS									
Examiner Initials *	Cite No.	U.S. Patent Document Number Kind Code ² (if known)	i theo Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear				
	AA	3,116,268	Farago	12-31-1963					
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				Application Number	10/644,293	
INFO	RMATION I	DISCLO	SURE	Filing Date	August 20, 2003	
STAT	TEMENT BY	APPLI	CANT	First Named Inventor	Liotta, et al.	
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	BZ	WO	88/07532		Holmes; Nycomed A.S.	10-06-1988	4			
	BAA	WO	88/08001		Aktiebolaget Astra	10-20-1988				
	BAB	WO	90/12023	- 11	Walker, et al.	10-18-1990				

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Sheet	3	of	8	Attorney Docket Number	18085.105119 EMU 134 DIV4		

3339248 5.DOC FOREIGN PATENT DOCUMENTS Foreign Patent Document Date of Publication Pages, Columns, Lines, Examiner Cite Name of Patentee or Appliof Cited Document Where Relevant Passages Office 3 Number Kind Code 2 No. 1 cant of Cited Document Initials * or Relevant Figures Appear MM-DD-YYYY Té (if known) 91/09124 06-27-1991 WO Biotech Australia Pty Ltd CA CB WO 91/11186 Αl **Emory University** 08-08-1991 IAF Biochem. Int'l Inc. WO 91/17159 11-14-1991 CC CD WO 92/06102 Medivir A.B. 04-16-1992 WO CE 92/08727 Consiglio...; Menarini... 05-29-1992 CF WO 92/10496 U. Georgia Res. Found. 06-25-1992 CG WO 92/10497 U. Georgia R.F.; Emory 06-25-1992 WO 92/14729 Αl **Emory University** 09-03-1992 CH WO 92/14743 A2 **Emory University** 09-03-1992 CI 09-17-1992 CJ WO 92/15308 Wellcome Foundation Ltd CK WO 92/15309 Wellcome Foundation Ltd 09-17-1992 10-29-1992 CL WO 92/18517 Yale U.; U. Georgia R. F. WO Glaxo Group Ltd. 12-10-1992 CM 92/21676 02-18-1993 CN WO Biochem Pharma Inc. 93/03027 Wellcome Foundation Ltd 11-25-1993 CO WO 93/23021 CP WO U. Georgia R.F.; Emory 03-03-1994 94/04154 **Emory University** CO WO 94/09793 05-11-1994 WO Biochem Pharma Inc. 07-07-1994 CR 94/14456 WO Biochem Pharma Inc. CS 94/14802 07-07-1994 \overline{CT} WO University of Alberta 07-07-1994 94/14831 CU WO 94/27590 United States (Sec. HHS) 12-08-1994 CV WO 94/27616 Yale University 12-08-1994 95/07086 CW WO Emory, C.N.R.S., UAB 03-16-1995 CXWO 95/07287 C.N.R.S. 03-16-1995 WO 07-06-1995 CY 95/18137 Genta, Inc. CZ WO 95/20595 U. Georgia R. F.; Yale U. 08-03-1995 CAA WO 95/21183 Acid (Canada) Inc. 08-10-1995 CAB WO 96/07413 U. Georgia R. F.; Yale U. 03-14-1996 CAC WO 96/40164 Emory, UAB, C.N.R.S. 12-19-1996 CAD WO 00/22157 A1 Altus Biologics Inc. 04-20-2000 CAE **EP** 0 206 497 Wellcome Foundation Ltd 12-30-1986 CAF EP 0 217 580 Wellcome Foundation Ltd 04-08-1987 CAG **EP** 0 285 884 Bristol-Myers Co. 10-12-1988

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INF	DRMATION D	ISCLO	DSURE	Filing Date	August 20, 2003	
STA	TEMENT BY	APPLI	CANT	First Named Inventor	Liotta, et al.	
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Sheet	4	of	8	Attorney Docket Number	18085.105119 EMU 134 DIV4	

3339248 5.DOC FOREIGN PATENT DOCUMENTS Foreign Patent Document Date of Publication Pages, Columns, Lines, Examiner Cite Name of Patentee or Appli-Kind Code 2 of Cited Document Where Relevant Passages Office 3 Number No. 1 cant of Cited Document Initials * or Relevant Figures Appear MM-DD-YYYY T⁶ (if known) 10-18-1989 ΕP 0 337 713 Biochem Pharma Inc. DA DB EP 0 350 811 E.R. Squibb & Sons, Inc. 01-17-1990 01-24-1990 DC **EP** 0 352 248 Medivir Aktiebolag 03-07-1990 DD EP 0 357 009 G.D. Searle & Co. EP 04-04-1990 DE 0 361 831 Wellcome Foundation Ltd DF EP 0 375 329 Wellcome Foundation Ltd 06-27-1990 DG **EP** 0 382 526 IAF Biochem Int'l Inc. 08-16-1990 EP 0 409 227 Akad. Wissensch. DDR 01-23-1991 DH DI EP 0 421 636 E.R. Squibb & Sons, Inc. 04-10-1991 06-26-1991 DJ EP 0 433 898 Abbott Laboratories DK EP 0 494 119 IAF Biochem Int'l Inc. 07-08-1992 0 515 144 EP 11-25-1992 DL Biochem Pharma Inc. DM EP 0 515 156 Biochem Pharma Inc. 11-25-1992 EP Biochem Pharma Inc. 11-25-1992 DN 0 515 157 EP 0 526 253 Biochem Pharma Inc. 02-03-1993 DO 8901258 DP NL Stichting Rega te Leuven 12-17-1990 B4 Wellcome Foundation Ltd 11-22-1995 DO JP 07109221 DR AU 630913 B₂ Biochem Pharma Inc. 11-12-1992 **Emory University** 12-21-1995 DS AU 665187 B2 06-27-1994 DT NZ 0238017 Biochem Pharma Inc. Α

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	_	OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS	_
Examiner Initials *	Cite No. 1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	
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		OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS	
Examiner Initials *	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	
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Substitute	for form 1449A/PTO			Complete if Known		
				Application Number	10/644,293	
INFO	DRMATION D	ISCLO	DSURE	Filing Date	August 20, 2003	
STA'	TEMENT BY	APPLI	CANT	First Named Inventor Liotta, et al.		
				Group Art Unit	Unassigned	
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					3339248 5.DOC	

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